

Donald E. Radonich Jr.
P-23442 15-I-1-L
P.O. Box 4000
Vacaville, CA 95696-4000

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2008 JUL 30 P 2:51

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
DIST. OF CA. S.J.

DONALD EUGENE RADONICH,

No. C-07-3730 RMW (PR)

Petitioner,

vs.

D.K. SISTO, Warden,

NOTICE OF MOTION FOR
CONTINUANCE TO FILE
OPPOSITION TO RESPONDENTS
MOTION TO DISMISS AS
UNTIMELY

Respondent.

TO THE HONORABLE PRESIDING MAGISTRATE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION AND TO THE CLERK OF THE COURT:

PLEASE TAKE NOTICE that Petitioner hereby move for a 30 day continuance to file his Opposition to Respondents Motion to Dismiss as Untimely based upon the following grounds:


1. Due to the constant lock-down, Wardens Meetings, T.B. Testing and Inventory of the Law Library Petitioner has been prevented from having adequate access to the law library and more time is required in order for Petitioner to prepare his motion in opposition to Respondents motion to dismiss.

WHEREFORE, from the date the Court receives this motion Petitioner request a 30 day continuance.

I swear under the penalty of perjury that all of the information in this motion is true, correct and complete.

DATED: August 28, 2008

Respectfully submitted,


Donald E. Radonich,
Petitioner In Pro Se/

PROOF OF SERVICE BY MAIL

I, Khalifah E.D. Saif'ullah, am a Certified Paralegal and not a party to the within cause of action. I am over the age of 18 years of age, my address is:

Khalifah E.D. Saif'ullah
Paralegal C-14257 21-E-7-U
P.O. Box 4000
Vacaville, CA 95696-4000

On July 25, 2008, I deposited into the United States Mail at Vacaville, California, a motion entitled:

**NOTICE OF MOTION FOR CONTINUANCE TO FILE OPPOSITION
TO RESPONDENTS MOTION TO DISMISS AS UNTIMELY**

with postage thereon fully prepaid and addressed to:

Gregory A. Ott
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004

I swear under the penalty of perjury that all of the statements in this declaration is true and correct.

KHALIFAH E.D. SAIF'ULLAH


Declarant

Donald E. Radonich Jr.
P.O. Box 4000 CSP-Solano
Vacaville, CA 95696-4000

LEGAL MAIL
"CONFIDENTIAL"

Legal Mail

95113+3006

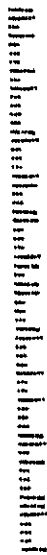


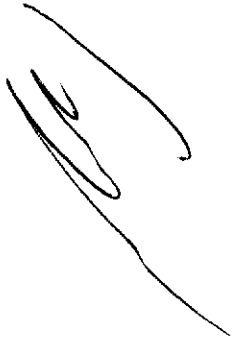
CALIFORNIA STATE PRISON-SOLANO

United States District Court
Northern District of California

280 South First St. Rm. 2112

San Jose CA 95113-3005




1/28/12

c/o DEBERRY